ounter took place. UP governor Anandiben Patel on Sunday appointed retired Allahabad high court judge Shashi Kant Agarwal to probe the incidents and submit a report within two months, according to a government notification. Any change in its tenure shall be at the behest of the government, the order said. The panel was set up under the Commission of Inquiries Act, 1952 and it will be based in Kanpur. The statement also said the commission will probe the gangster’s “relationship” with police and other officials, and suggest ways to prevent such a repetition in future.

Muskurayega India’ to address youths’ mental health issues

The National Service Scheme (NSS), Uttar Pradesh, in partnership with Public Health Foundation of India (PHFI) and UNICEF, UP, has launched ‘Muskurayega India’ initiative. The campaign aims at addressing the issue of mental health among youth and community during the Covid 19 pandemic. “The NSS-UP has a network of around 307600 youth volunteers, 3076 program officers, 75 district nodal officers and 36 program coordinators in several state and private universities. The NSS quickly responded to the urgent need of addressing the Covid related issues and organised various campaigns to encourage preventive measures in communities,” said Anshumali Sharma, OSD and state liaison officer, NSS. The objective was to provide mental health solutions by building social capital (university teaching cadre) and adapting digital technologies, he said. “In a short span of time, NSS rolled out ‘Muskurayega India’ initiative across 36 universities of UP. So far, it has supported 1649 callers and major stress has been around education and psychological anxiety,” said Bhai Shelly, communication for development specialist, Unicef. He said, “UNICEF is extremely happy to be partner in the drive and sees this as a beginning that has potential to benefit campus and youth in general even after Covid-19 crisis is gone.” Sharma said, “National Service Scheme, a volunteer organisation of students, under the aegis of ministry of youth affair and sports, India, has been functioning to motivate and integrate students with community on various social issues.

Govt set to make five UP cities as solar cities”

With a view to promoting green energy in UP, the Yogi government is all set to make five religious cities of the state as solar cities by 2024. In the first phase, the government’s target is to turn Ayodhya, Mathura, Varanasi, Prayagraj and Gorakhpur into model cities under its clean and green energy project. The UP power ministry has set a target of installing 669 mega- watt solar power rooftop plants on houses in these cities. For this project, the Centre will give a subsidy of Rs 859 crore and the state government of Rs 473 crore. UP energy minister Srikant Sharma said the government will make people aware of its solar power project in the five cities and motivate them to install solar power plants on their houses. Uttar Pradesh New and Renewable Energy Department (UPNEDA) will launch an awareness campaign in these places to associate people with the project. The UPNEDA will also make people aware how solar power plants will help reduce their electricity bills. It will also apprise people of the subsidy being offered by the Centre and the state governments for installing rooftop solar power plants. Uttar Pradesh has a solar energy potential of 22,300 mw. The Yogi government intends to harness this source to achieve solar power generation target of 10,700 mw by 2022. As part of its policy to promote solar power, the state government is now waiving land registration subsidy for those who are willing to set up solar power plants to generate electricity. Electricity generated by these solar power plants is then transferred to the grid—an interconnected network for transferring electricity from producers to consumers. This is part of the state government’s decision to promote private participation in generation of electricity through solar power. To meet the target of generating 10,700 mw of electricity through solar power, the state government has set a target of setting up 6000 solar power plants across the state.

Disaster management:

Uttar Pradesh Jal Shakti minister Mahendra Singh on Sunday directed engineers and district administration officers to maintain round-the-clock watch on embankments and in flood-hit areas. He issued the instructions while reviewing relief, rescue and flood control works through a videoconferencing with the officers and engineers of flood-prone UP districts. He also directed the officers to install generators and emergency lights near the embankments to maintain a regular watch on the condition of the embankments. The embankments damaged due to erosion should be repaired immediately, he said. Chief minister Yogi Adityanath has directed the officers to ensure that there was no loss of life and property due to flood. The officers have been directed to carry out regular patrolling on the embankments in their respective area. Junior engineers have been directed to camp near the embankments. The flood control work should be launched on war footing and strict action will be taken against slack officers, Singh said.The minister said the projects pending due to Covid pandemic should be launched on priority basis. With a view to checking erosion, dredging of rivers to change their course should be completed on priority, he added. ‘MAJOR RIVER IN TERAI REGION IN SPATE’ Rainfall in the Terai region has led to the increase in the water level of major rivers. An irrigation department officer said the river Sharda was flowing above the danger level at Paliyakala in Lakhimpur Kheri district. He added that the river Ghaghra was flowing above danger level at Eligin Bridge (Barabanki), Ayodhya and Turtipar (Ballia) while the Rapti was flowing above the danger level in Balrampur, Kuwano at Chandradeep ghat (Gonda) and the Gandak was flowing above danger mark at Khadda in Kushinagar district. The rise in the water level of the rivers has inundated and marooned several villages in Maharajganj, Siddharthnagar, Shravasti, Balrampur and Bahraich districts. The district administrations were directed to launch relief and rescue operation in the flood-hit areas, he said

Custodial torture and violence is wrong. It is time for a stronger law

Jayaraj and Bennicks died not just due to abuse, but also because of the apathy of the magistrate and doctors

ustodial violence has not been clearly defined under any law. It is often tactically approved as a means of getting information regarding a crime, the names of accomplices or to extract confessions. Whenever questions are asked about the lack of strong laws on custodial torture in India, the standard reply is that existing laws are adequate to deal with this. The custodial deaths of a father and son, Jayaraj and Bennicks at the Kovilpatti subjail in Tuticorin,Tamil Nadu, have raised some serious questions. It is a case in which the police registered an FIR that puts the entire blame on Jayaraj and Bennicks. The FIR states that when the beat police asked them to close their shop, they abused and prevented the constables from discharging their official duty, and threatened dire consequences. It further said that they resisted arrest and started rolling on the floor, which caused their injuries. The Indian Evidence Act, 1872, provides that a judicial officer is supposed to draw the presumption that judicial and official acts have been performed in an appropriate manner. The allegations in this FIR appear to be false and manipulated.This is substantiated from the videos that have given a different picture of the place, time, and circumstances of the arrest.There are news reports that there were multiple injuries on the gluteal region, anus and the knee bones of both persons. The question then is: Should such presumptions of law continue in favour of official acts? While these videos are doing rounds, doubts remain whether these will become part of the charge-sheet.Will they be considered at the time of trial? In the past, many such pieces of evidence were either not included in the charge-sheet or were not relied upon during the trial. The law offers some protection against custodial torture. It mandates that the person arrested must be produced before the nearest magistrate within a period of 24 hours of such arrest and that he cannot be detained beyond this without the authority of a magistrate. The purpose of this law is that the magistrate would examine the condition of the accused and decide whether there is a fit case to extend the custody. If the news reports are true, the role of the magistrate who remanded the two to judicial custody raises a lot of questions. The magistrate of Sathankulam allegedly did not meet the accused before remanding them to custody. He did not check if they were injured or whether they required any medical help. Reports also suggest that the magistrate passed the order for remand through videoconferencing during which he did not enquire about their condition. At the Kovilpatti sub-jail, a medical check-up of the two revealed serious injuries. Both were in a very bad shape but rather than sending them to hospital, they were sent to jail. It was only when their condition deteriorated that they were sent to Kovilpatti general hospital, where Bennicks died on June 22. His father Jayaraj died on June 23. Questions remain as to whether the doctors in jail were incompetent or whether they did not send the two to hospital in order to protect the police. Breaking the bones of persons in custody is an institutional method allegedly favoured by the Tamil Nadu police. Acting on a complaint against the Tamil Nadu police earlier, the National Human Rights Commission ordered a spot enquiry. The Commission’s investigation team found that 91 undertrial prisoners in Puzhal Central Jail had fractures on different parts of the body such as the forehand, forearm and knee at the time of admission. The team procured the health screening reports of these 91 prisoners at the time of their entry into prison. The matter is pending before the Commission. The Law Commission of India on the topic of injuries in police custody, in 1984, suggested that in case a man suffers bodily injury or death while in police custody, the court may presume that the injury was caused by the police officer having custody of that person during that period. For some reason, 36 years later, even this has not been followed upon. By not enacting a proper law against torture, the police have been given a free hand. No quarter can be given to policemen who behave like criminals. The two men in Tamil Nadu died not just because of the torture they suffered but also because of the apathy of the magistrate and doctors at the jail. The scene of the crime and other important facts appear to have been manipulated. Only a full enquiry into the sequence of events, without delay, can reveal the truth. Jyotika Kalra is member, National Human Rights Commission The views expressed are persona

THE INDIAN EVIDENCE ACT, 1872, PROVIDES THAT A JUDICIAL OFFICER IS SUPPOSED TO DRAW THE PRESUMPTION THAT JUDICIAL AND OFFICIAL ACTS HAVE BEEN PERFORMED IN AN APPROPRIATE MANNER